

U.S. Patent Application Serial No. **09/701,011**
Response dated August 21, 2003
Reply to OA of **May 22, 2003**

REMARKS

Claims 3-10 are pending in this application. An amendment to claim 3 is proposed herein.

Claims 3-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Hasegawa et al. (U.S. Patent No. 5,541,266).

Reconsideration of the rejection is respectfully requested in view of the proposed amendment to claim 3. In the proposed amendment to claim 3, the recited curing agent composition is further limited:

- 1) to be “for two-pack curable composition use”; and
- 2) “wherein a curable organic polymer (d) having in its molecule a functional group crosslinkable by a reaction catalyzed by the bivalent tin based curing catalyst (c) is not contained”.

In particular Applicants note that Hasegawa et al. teaches: “(a) 100 parts by weight of an **oxyalkylene polymer** having a silicon atom-containing group to which a hydroxyl group or a hydrolyzable group is bonded and **capable of crosslinking** on formation of a siloxane bond” (Abstract; emphasis added). That is, Hasegawa et al. does teach a composition containing a curable organic polymer having in its molecule a functional group crosslinkable by a reaction catalyzed by the bivalent tin based curing catalyst, and therefore does not meet the negative limitation added in the proposed amendment to claim 3.

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Claims 3, 4 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Proebster et al. (U.S. Patent No. 6,025,416).

Reconsideration of the rejection is respectfully requested in view of the proposed amendment to claim 3.

Proebster et al. teaches in column 1, lines 37-43: "It has now been found that two-component adhesives/sealants based on silane-terminated prepolymers, of which component A is a one-component moisture-curing adhesive/sealant while component B is a crosslinker and/or accelerator for component A, satisfy these requirements in a surprisingly effective manner." Applicants submit that Proebster et al. does not meet the negative limitation added in the proposed amendment to claim 3.

Claims 7-10 are allowable.

Applicants submit that the proposed amendment to claim 3 does not broaden the scope of claims 7-10, and that these claims should be allowable after entry of the amendment.

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If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicants undersigned agent at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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